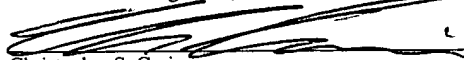




ITW

The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on August 16, 2004.

  
Christopher S. Casieri

Docket No. 4555-128.1.1 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of	:	Customer No.
BASSLER et al.	:	26817
	:	
Serial No. 10/802,425	:	Group Art Unit: 1614
	:	
Filed: March 17, 2004	:	Examiner: WEDDINGTON, Kevin
	:	
Title: COMPOUNDS AND METHODS FOR	:	Confirmation No. 3998
REGULATING BACTERIAL GROWTH	:	
AND PATHOGENESIS	:	
	:	
	:	X

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

In an Office Action dated July 16, 2004, the Examiner required restriction to one of the following groups:

- I. Claims 1-35 and 42-48, drawn to a method for identifying a compound that regulates the activity of autoinducer-2, classified in class 435, various subclasses.
- II. Claims 36-41, drawn to a method of detecting an autoinducer associated bacterial biomarker, classified in class 435, various subclasses.
- III. Claims 49-51, drawn to a method for producing autoinducer-2,

classified in class 560, subclass 562.

IV. Claims 52-79, drawn to an antibiotic composition comprising an antibiotic and an inhibitor of the quorum-sensing pathway of a microorganism, classified in class 514, subclass 461.

V. Claims 80-95, drawn to a method of treating infections in a warm-blooded animal with a composition, classified in class 514, subclasses 31, 192, 199 and 461.

VI. Claims 96-98, drawn to a medical device, classified in class 126, various subclasses.

Applicants hereby elect with traverse Group I, claims 1-35 and 42-48, drawn to a method for identifying a compound that regulates the activity of autoinducer-2, classified in class 435, various subclasses, for prosecution in this application. Applicants submit that a search of the system of Group I would uncover the method of Groups II, III and V, the composition of Group IV and the medical device of Group VI. Applicants respectfully request the right to file a divisional application directed to the nonelected claims.

A prompt action on the merits is earnestly solicited. The Examiner is invited to telephone the undersigned should he believe this would expedite prosecution of this application. It is believed no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: August 16, 2004



Christopher S. Casieri  
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